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10 Attorneys for Defendant  
11 General Electric Company

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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15

16 SAN JOSE FRUIT BARS, INC. and )  
17 EMPLOYERS MUTUAL CASUALTY ) Case No. 5:13-cv-00138-PSG  
18 COMPANY, )  
19 Plaintiffs, )  
20 )  
21 vs. ) JOINT ADMINISTRATIVE MOTION  
22 ) TO CONSIDER WHETHER CASES  
23 ) ARE RELATED; STIPULATION; and  
24 ) ~~[PROPOSED]~~ ORDER  
25 GENERAL ELECTRIC COMPANY, )  
26 )  
27 Defendant. )  
28 )  
29 \_\_\_\_\_

30 Pursuant to Northern District of California Local Rules 3-12 and 7-11 and the  
31 stipulation filed currently herewith, the parties hereby jointly move the Court to consider  
32 whether this action is related to and should be consolidated with two other actions recently  
33 removed to the Northern District of California. Those two actions are *Transportation Insurance*  
34 *Company v. General Electric Company*, No. 5:13-cv-00691-PSG, and *Golden Eagle Insurance*  
35 *v. General Electric Company*, No. 5:13-cv-00692-PSG. These cases were consolidated in state  
36 court with plaintiffs' action herein, prior to the removal of each of these actions to this Court.  
37 All of these actions arise from an October 8, 2011 fire at a commercial building located in San  
38 Jose. Each plaintiff has sued General Electric Company ("GE"), alleging that a GE product  
39 caused the October 8, 2011 fire.

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1 All three actions are currently pending before the Honorable Paul S. Grewal,  
2 United States Magistrate Judge. Further consolidation of these three actions for discovery, pre-  
3 trial procedure, and trial will avoid unduly burdensome duplication of labor and expenses and  
4 potentially conflicting results if the cases were to proceed separately.

5 The parties in this action have obtained consent to consolidate these actions from  
6 plaintiffs' counsel in *Transportation Insurance Company v. General Electric Company* and  
7 *Golden Eagle Insurance v. General Electric Company*.

8 Respectfully submitted,

9 Dated: February 28, 2013

GLYNN & FINLEY, LLP  
JAMES M. HANLON JR.  
LAUREN E. WOOD

12 \_\_\_\_\_ /s/ Lauren E. Wood  
13 Attorneys for Defendant  
GENERAL ELECTRIC COMPANY

15 Dated: February 28, 2013 GIBSON ROBB & LINDH LLP  
16 JOSHUA E. KIRSCH

18 \_\_\_\_\_  
19 /s/ Joshua E. Kirsch  
Atorneys for Plaintiffs  
SAN JOSE FRUIT BARS, INC. and  
EMPLOYERS MUTUAL CASUALTY  
COMPANY

1                   **STIPULATION IN SUPPORT OF JOINT ADMINISTRATIVE MOTION**  
2                   **TO CONSIDER WHETHER CASES ARE RELATED**

3                   WHEREAS, the following actions pending before the Hon. Paul S. Grewal  
4                   concern substantially the same parties, occurrence, or event:

5                   • *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v.*  
6                   *General Electric Company*, No. 5:13-cv-00138-PSG  
7                   • *Transportation Insurance Company v. General Electric Company*, No. 5:13-  
8                   cv-00691-PSG  
9                   • *Golden Eagle Insurance v. General Electric Company*, No. 5:13-cv-00692-  
10                   PSG

11                  WHEREAS, consolidation of these actions for discovery, pre-trial procedure, and  
12                  trial will avoid unduly burdensome duplication of labor and expenses and potentially conflicting  
13                  results if the cases were to proceed separately,

14                  Therefore, the undersigned parties, by and through their counsel stipulate as follows:

15                  (1) The actions *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v.*  
16                  *General Electric Company*, No. 5:13-cv-00138-PSG; *Transportation Insurance*  
17                  *Company v. General Electric Company*, No. 5:13-cv-00691-PSG; and *Golden Eagle*  
18                  *Insurance v. General Electric Company*, No. 5:13-cv-00692-PSG are related cases as  
19                  defined by Northern District of California Local Rule 3-12(a);  
20                  (2) The actions *San Jose Fruit Bars, Inc. and Employers Mutual Casualty Company v.*  
21                  *General Electric Company*, No. 5:13-cv-00138-PSG; *Transportation Insurance*  
22                  *Company v. General Electric Company*, No. 5:13-cv-00691-PSG; and *Golden Eagle*  
23                  *Insurance v. General Electric Company*, No. 5:13-cv-00692-PSG shall be  
24                  consolidated for all proceedings leading up to and through trial;  
25                  (3) The first filed action *San Jose Fruit Bars, Inc. and Employers Mutual Casualty*  
26                  *Company v. General Electric Company*, No. 5:13-cv-00138-PSG shall be designated  
27                  as the lead case in the consolidated action.

28                  ///

1 SO STIPULATED:

2 Dated: February 28, 2013

GLYNN & FINLEY, LLP  
JAMES M. HANLON JR.  
LAUREN E. WOOD

4 /s/ Lauren E. Wood

5 Attorneys for Defendant  
6 GENERAL ELECTRIC COMPANY in  
7 Case Nos. 5:13-cv-00138-PSG, -00691-  
8 PSG, and -00692-PSG

9

10 Dated: February 28, 2013

11 GIBSON ROBB & LINDH LLP  
12 JOSHUA E. KIRSCH

13 /s/ Joshua E. Kirsch

14 Attorneys for Plaintiffs  
15 SAN JOSE FRUIT BARS, INC. and  
16 EMPLOYERS MUTUAL CASUALTY  
17 COMPANY in Case No. 5:13-cv-00138-  
18 PSG

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20 Dated: February 28, 2013

21 LAW OFFICES OF KATCHIS, HARRIS  
22 & YEMPUKU  
23 ROBERT B. JAVAN

24 /s/ Robert B. Javan

25 Attorneys for Plaintiff  
26 GOLDEN EAGLE INSURANCE in Case  
27 No. 5:13-cv-00692-PSG

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29 Dated: February 28, 2013

30 LAW OFFICES OF JEFFREY F. PACCASSI  
31 RICHARD A. LEVINE

32 /s/ Richard A. Levine

33 Attorneys for Plaintiff  
34 TRANSPORTATION INSURANCE  
35 COMPANY in Case No. 5:13-cv-00691-  
36 PSG

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38 Lauren E. Wood attests that concurrence in the filing of this document has been  
39 obtained from each of the other signatories identified herein.

1 **[PROPOSED] ORDER**

2 Pursuant to stipulation, it is hereby ordered that the actions *San Jose Fruit Bars,*  
3 *Inc. and Employers Mutual Casualty Company v. General Electric Company*, No. 5:13-cv-  
4 00138-PSG; *Transportation Insurance Company v. General Electric Company*, No. 5:13-cv-  
5 00691-PSG; and *Golden Eagle Insurance v. General Electric Company*, No. 5:13-cv-00692-PSG  
6 are related cases as defined by Northern District of California Local Rule 3-12(a) and are hereby  
7 consolidated for all proceedings leading up to and through trial.

8 The first filed action *San Jose Fruit Bars, Inc. and Employers Mutual Casualty*  
9 *Company v. General Electric Company*, No. 5:13-cv-00138-PSG shall be designated as the lead  
10 case in the consolidated action.

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12 IT IS SO ORDERED.

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14 Dated: March 5, 2013

  
Hon. Paul S. Grewal  
UNITED STATES MAGISTRATE JUDGE

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